

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MOTION OF AJAX MORTGAGE LOAN TRUST 2021-B, BY U.S. BANK NATIONAL
ASSOCIATION, AS INDENTURE TRUSTEE FOR RELIEF FROM THE AUTOMATIC
STAY ON FIRST MORTGAGE FOR REAL PROPERTY LOCATED AT 7254 NORTH
21ST STREET, CITY OF PHILADELPHIA, PA 19138**

Ajax Mortgage Loan Trust 2021-B, By U.S. Bank National Association, As Indenture Trustee ("Creditor"), by and through the undersigned counsel, moves the Court pursuant to 11 U.S.C. § 362(d) for an Order granting relief from the automatic stay on the real property located at 7254 North 21st Street, City of Philadelphia, PA 19138 ("Property"). In support of its motion, Creditor states the following:

1. Jamar Leroy Henderson ("Debtor") filed a petition for relief under Chapter 13 of the Bankruptcy Code on September 7, 2023 (the "Petition Date").
2. On November 6, 2001, Debtor executed a Pennsylvania Fixed Rate Payment Mortgage Note - First Lien in the original amount of \$64,000.00 (the "Note"). A copy of the Note is attached hereto as Exhibit A.

3. To secure the Note, a Pennsylvania Fixed Rate Payment Mortgage - First Lien (the "Mortgage") was given November 6, 2001, and recorded November 21, 2001. A copy of the Mortgage and subsequent Assignments of Mortgage are attached as Exhibit B, evidencing perfection of Creditor's security interest in the Property which is more particularly described in the Mortgage.
4. The terms of the Note were subsequently modified as set forth in the Loan Adjustment Agreement, attached as Exhibit C.
5. There are other liens against the property as listed in Debtor's Schedule D.
6. As of February 14, 2024, the total outstanding amount due on the Note is \$105,153.32 which consists of:

Principal	\$68,129.61
Interest	\$16,750.42
Escrow Deficiency	\$5,501.00
Late Charges	\$736.07
Other Fees	\$9,086.52
Deferred Principal	\$4,952.22
Interest Credit	\$(2.52)
Suspense funds	\$(0.00)

7. Creditor seeks relief from the automatic stay pursuant to 11 USC § 362(d) to proceed under applicable non-bankruptcy law to enforce its remedies and to take any and all actions necessary to accelerate the balance due on the Note, to foreclose the Mortgage in accordance with state law, to apply the net proceeds to the obligation, and to otherwise exercise its contractual and state law rights as to the Property.
8. Creditor is entitled to relief from the automatic stay for the following reason(s):
 - a. Creditor is not adequately protected per 11 USC § 362(d)(1) based upon Debtor's post-petition default.
 - b. Debtor is in default post-petition. Debtor has failed to make full post-petition payments for the past 5 months as of February 14, 2024 and is in default in the

amount of \$3,493.33 plus attorney fees in the amount of \$1,249.00 for a total delinquency of \$4,742.33. This amount is broken down as follows:

<u>Post-Petition Payments Delinquent to Creditor</u>		
Date Range	Amount	Total
October 2023 to December 2023	\$764.19	\$2,292.57
January 2024 to February 2024	\$600.38	\$1,200.76
Total: \$3,493.33 plus \$1,249.00 (attorney fees) = \$4,742.33		

9. Creditor requests that the Court order that Rule 4001(a)(3) is not applicable.
10. Creditor further requests that further compliance with Fed.R.Bankr.P. 3002.1 be waived as to creditor in the instant bankruptcy case upon entry of an Order granting relief from the automatic stay.

WHEREFORE, Creditor prays for the entry of an Order Granting Relief from the Automatic Stay.

Respectfully submitted,

/s/ Adam B. Hall

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CERTIFICATE OF SERVICE

I certify that on the date of filing, a copy of the foregoing Motion of Ajax Mortgage Loan Trust 2021-B, By U.S. Bank National Association, As Indenture Trustee for Relief from the Automatic Stay on First Mortgage for Real Property located at 7254 North 21st Street, City of Philadelphia, PA 19138 was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

KENNETH E. WEST, Office of the Chapter 13 Standing Trustee,
ecfemails@ph13trustee.com

MICHAEL A. CIBIK, Attorney for Jamar Leroy Henderson, help@cibiklaw.com

I certify that on the date of filing, a copy of the foregoing document was sent by U.S. Mail to the following:

Jamar Leroy Henderson, 5049 N 16th St, Philadelphia, PA 19141-2240

PHH Mortgage, 3900 Capital Blvd, Lansing, MI 48906

/s/ Adam B. Hall